

HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JEFF OLBERG, an individual, CECILIA ANA  
PALAO-VARGAS, an individual, MICHAEL  
CLOTHIER, an individual, and JACOB  
THOMPSON, an individual, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

ALLSTATE INSURANCE COMPANY, an  
Illinois Corporation and ALLSTATE FIRE AND  
CASUALTY INSURANCE COMPANY, an  
Illinois Corporation, and CCC INTELLIGENT  
SOLUTIONS INCORPORATED, a Delaware  
Corporation

Defendants.

Case No. 2:18-cv-00573-JCC

**[PROPOSED] ORDER EXTENDING  
DEADLINE TO SUBMIT JOINT  
STATUS REPORT**

**NOTE ON MOTION CALENDAR:**  
September 21, 2022

Pursuant to Local Rule 7(d)(1), Plaintiffs Jeff Olberg, Cecilia Ana Palao-Vargas Michael Clothier, and Jacob Thompson; and Defendants Allstate Insurance Company, Allstate Fire and Casualty Insurance Company, and CCC Intelligent Solutions Inc. (“CCC”) (collectively, the “Parties”) hereby stipulate as follows:

1. WHEREAS, on July 23, 2021, this Court entered its Minute Order (Dkt. No. 169) staying a decision on Plaintiffs’ motion for class certification (Dkt. Nos. 104, 106) and ordering the Parties to provide the Court with a joint written status report and proposed case schedule within ten days after the Ninth Circuit Court of Appeals issued its mandate in *Lara v. First Nat’l Ins. Co. of Am.*, Case No. 21-35126 (9th Cir. 2021) (“*Lara*”).

2. On February 11, the Ninth Circuit filed its opinion in *Lara* affirming Judge Bryan’s

1 denial of class certification in *Lundquist v. First Nat'l Insurance Co. of Am.*, Case No. 3:18-cv-  
2 05301-RJB. *Lara*, Dkt. No. 86.

3 3. On March 28, 2022, the plaintiffs-appellants in *Lara* petitioned for rehearing and  
4 rehearing en banc. *Lara*, Dkt. No. 89.

5 4. On May 10, 2022, the Ninth Circuit denied the petition for rehearing and rehearing  
6 en banc in *Lara*. *Lara*, Dkt. No. 106.

7 5. On June 7, 2022, the Ninth Circuit issued its mandate in *Lara*. *Lara*, Dkt. No. 111.  
8 Accordingly, the deadline for the Parties to submit their joint status report is June 17, 2022.

9 6. On June 16, 2022, the Parties filed a Stipulated Motion To Extend Deadline To  
10 Submit Joint Status Report, Dkt. No. 175, which this Court granted on June 17, 2022, Dkt. No.  
11 176.

12 7. On June 24, 2022, the Parties filed a Stipulated Motion To Extend Deadline To  
13 Submit Joint Status Report, Dkt. No. 177, which this Court granted on June 27, 2022, Dkt. No.  
14 178.

15 8. On July 7, 2022, the Parties filed a Stipulated Motion To Extend Deadline To  
16 Submit Joint Status Report, Dkt. No. 179, which this Court granted on July 7, 2022, Dkt. No. 180,  
17 extending the deadline to submit a joint status report to August 22, 2022.

18 9. On August 19, 2022, the Parties filed a Stipulated Motion To Extend Deadline To  
19 Submit Joint Status Report, Dkt. No. 181, which this Court granted on August 22, 2022, Dkt. No.  
20 182, extending the deadline to submit a joint status report to September 21, 2022.

21 10. The Parties jointly and respectfully request an additional extension of 30 days for  
22 the deadline to submit a joint status report. The Parties are continuing to pursue settlement  
23 negotiations, and the requested extension will allow the Parties to conduct those negotiations  
24  
25  
26  
27

without the pressure of immediate court deadlines.

Based on the foregoing, the Parties stipulate and agree that good cause exists to extend the deadline to submit a joint status report to October 21, 2022.

PURSUANT TO STIPULATION, IT IS SO ORDERED, this 22nd day of September 2022.



John C. Coughenour  
UNITED STATES DISTRICT JUDGE

Dated: September 21, 2022

Respectfully submitted,

<u>/s/ Steve W. Berman</u> Steve W. Berman Hagens Berman Sobol Shapiro LLP 1301 2nd Avenue, Suite 2000 Seattle, WA 98101  Attorney for Plaintiff	<u>/s/ Kathleen M. O'Sullivan</u> Kathleen M. O'Sullivan, WSBA No. 27850 Perkins Coie LLP 1201 Third Avenue, Suite 4900 Seattle, WA 98101 Telephone: 206.583.8888 Facsimile: 206.583.8500 Email: KOSullivan@perkinscoie.com  Attorneys for Defendant CCC Intelligent Solutions Inc.
John M. DeStefano Robert B. Carey Elizabeth T. Beardsley Hagens Berman Sobol Shapiro LLP 11 West Jefferson Street, Suite 1000 Phoenix, AZ 85003  Attorneys for Plaintiff	<u>/s/ Marguerite M. Sullivan</u> Marguerite M. Sullivan (pro hac vice) Jason R. Burt (pro hac vice) Latham & Watkins LLP 555 11th Street NW, Suite 1000 Washington, DC 20004 Telephone: 202.637.2200 Email: marguerite.sullivan@lw.com jason.burt@lw.com  Attorneys for Defendant CCC Intelligent Solutions Inc.
David L. Woloshin Dina S. Ronsayro Astor Weiss Kaplan & Mandel, LLP 200 South Broad Street, Suite 600 Philadelphia, PA 19102	Steven J. Pacini (pro hac vice) Latham & Watkins LLP 200 Clarendon Street 27th Floor Boston, MA 02116

1 2 3 4	Attorneys for Plaintiffs	Telephone: 617.880.4516 Email: steven.pacini@lw.com  Attorneys for Defendant CCC Information Services Inc.
5 6 7 8 9 10 11	Marc A. Goldich Axler Goldich LLC 1520 Locust Street, Suite 301 Philadelphia, PA 19102  Attorney for Plaintiffs	Anusha E. Jones, WSBA No. 52989 William H. Walsh, WSBA No. 21911 Cozen O'Connor 999 Third Avenue, Suite 1900 Seattle, Washington 98104 Telephone: (206) 340-1000 Facsimile: (206) 340-1000 E-mail: wwalsh@cozen.com aejones@cozen.com  Attorneys for Defendants Allstate Insurance Company and Allstate Fire and Casualty Insurance Company
12 13 14 15 16 17 18 19	<u>/s/ Peter J. Valeta</u> Wendy Enerson (pro hac vice) Peter J. Valeta (pro hac vice) Cozen O'Connor 123 North Wacker Drive, Suite 1800 Chicago, Illinois 60606 Telephone: (312) 382-3100 Email: wenerson@cozen.com pvaleta@cozen.com  Attorneys for Defendants Allstate Insurance Company and Allstate Fire and Casualty Insurance Company	

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on September 21, 2022 a true and correct copy of the foregoing was filed electronically by CM/ECF, which caused notice to be sent to all counsel of record.

DATED this 21st day of September, 2022.

s/ Marguerite M. Sullivan